

EVIDENCE — Rule 404(b) — Proof of Knowledge — Revised 3/2010

One of the exceptions listed in Rule 404(b) is for evidence offered to show knowledge. In *State v. Hines*, 130 Ariz. 68, 633 P.2d 1384 (1981), the defendant was on trial for possession of marijuana and denied having put a matchbox containing marijuana in his pants pocket. He claimed that his girlfriend had worn his pants the previous day and put the matchbox there. The State was allowed to put on evidence that four months before, the defendant was arrested and the police found 55 matchboxes containing marijuana in his room. This evidence was admissible to show that the defendant knew that the matchbox contained marijuana. In *State v. Torres*, 162 Ariz. 70, 74, 781 P.2d 47, 51 (App. 1989), the Court of Appeals said that in *Hines*, the distinctive packaging of the marijuana was arguably relevant to the issues of knowledge and intent.